

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA
PITTSBURGH

ANDY BUXTON,

Plaintiff,

vs.

JOHN E. WETZEL, SECRETARY OF
CORRECTIONS; DORINA VARNER,
ZACHARY J. MOSLAK, MELINDA L.
ADAMS,
SUPERINTENDENT/WARDEN/FACILITY
MANAGER; SHANE DADY,
DSCS/DEPUTY; J. YODIS, HEARING
EXAMINER/COORDINATOR; EDWARD
WHITMAN, UNIT MANAGER; SGT.
HAMILTON, KAREN FEATHERS, CHCA;
AND ADAM MILLIREN,
CORRECTIONAL OFFICER;

Defendants,

2:20-CV-01647-CRE

CASE MANAGEMENT ORDER

IT IS HEREBY ORDERED that all discovery shall be conducted in accordance with Federal Rules of Civil Procedure 30, 31, 33, 34, and 36.

IT IS FURTHER ORDERED that, no later than **November 8, 2022**, Defendants shall provide Plaintiff with the following:

- (1) all incident reports, grievances and appeals therefrom, disciplinary reports, investigative reports, appeals, any existing video or photographic documentation, or other similar documents in its possession concerning the alleged incident or incidents, and
- (2) all medical records in their possession concerning the Plaintiff, and
- (3) all records concerning the alleged incident or incidents.

Defendants are ordered to file a notice with this Court stating that this Order has been complied with on or before **November 8, 2022**. In their notice, Defendants shall include an

itemized list of all discovery material provided to Plaintiff. To the extent that Defendants contend that they have no such records as indicated in (1), (2), and (3) of this paragraph, they shall specifically state that in their notice. If video and/or photographic records are unable to be retrieved, Defendants shall state what efforts were made to obtain such records and the reason they were not provided (destroyed, missing, etc). Failure to comply with these requirements may result in sanctions from the Court.

IT IS FURTHER ORDERED that a Case Management Conference is set for **November 30, 2022** at **11:00 AM**, by video, before the undersigned. The parties shall be prepared to discuss what discovery they intend to pursue including all depositions they intend to notice.

IT IS FURTHER ORDERED that, following the video case management conference but no later than **December 23, 2022**, Plaintiff shall advise the Court of all additional relevant discovery, if any, he requests in this action in one submission to the Court using the attached form and including copies of each and every discovery request he seeks to pursue. Plaintiff may not submit requests for discovery directly to the Defendants. Defendants shall submit any requests for discovery directly to Plaintiff by **December 23, 2022**

IT IS FURTHER ORDERED that, on or before **January 23, 2023**, the parties shall serve their responses and/or objections to the requests for additional discovery. Any motions pursuant to Federal Rule of Civil Procedure 37 shall be filed on or before **February 22, 2023**. Discovery closes **January 23, 2023**; however, the parties are reminded that their respective deadlines to submit all discovery requests is **December 23, 2022**, and the Court will not entertain additional discovery requests made outside of that deadline without good cause.

IT IS FURTHER ORDERED that the deadlines for filing Motions for Summary

Judgment will be subject to an order to be entered following the close of discovery.

DATED this 11th day of October, 2022.

BY THE COURT:

s/Cynthia Reed Eddy
United States Magistrate Judge